

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF VIRGINIA  
Norfolk Division**

**LINDA H. R.,**

**Plaintiff,**

**v.**

**CIVIL ACTION NO. 2:19cv632**

**ANDREW SAUL,  
COMMISSIONER OF  
SOCIAL SECURITY ADMINISTRATION,**

**Defendant.**

**ORDER**

Before the Court is the Magistrate Judge's Report and Recommendation on Linda H. R.'s ("Plaintiff") action for judicial review of the final decision of the Commissioner of Social Security ("Defendant") denying Plaintiff's claim for disability and disability insurance benefits. On January 29, 2020, this matter was referred to a United States Magistrate Judge pursuant to the provisions of 28 U.S.C. Section 636(b)(1)(B) and (C), Rule 72(b) of the Federal Rules of Civil Procedure and Rule 72 of the Rules of the United States District Court for the Eastern District of Virginia for a report and recommendation. On February 24, 2020, Plaintiff filed a Motion for Summary Judgment and accompanying memorandum. (ECF Nos. 9). On April 22, 2020, the Commissioner filed a cross-Motion for Summary Judgment and Memorandum in Support. (ECF Nos. 11 and 12). On May 6, 2020, the Plaintiff filed a Reply to the Cross Motion for Summary Judgment. (ECF Nos. 13). On January 25, 2021, the Magistrate Judge filed his report recommending that Plaintiff's Motion for Summary Judgment be **GRANTED**, that Defendant's Motion for Summary Judgment be **DENIED**, and the Commissioner's final decision be

**VACATED** and **REMANDED**. By copy of the report, each party was advised of their right to file written objections to the findings and recommendations made by the Magistrate Judge. The Court has received no objections to the report and the time for filing the same has expired.

The Court does hereby accept the findings and recommendations set forth in the report of the United States Magistrate Judge filed January 25, 2021, and it is, therefore **ORDERED** that Plaintiff's Motion for Summary Judgment is **GRANTED** and Defendant's Motion for Summary Judgment is **DENIED**. Accordingly, the decision of the Commissioner is **VACATED** and the case is **REMANDED** for further administrative proceedings. The Clerk shall mail a copy of this final Order to counsel for both Parties.

**IT IS SO ORDERED.**

Norfolk, Virginia  
February 12, 2021



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United States District Judge